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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,204	09/18/2000	Nathan F. Raciborski	19396-000200US	4087
7590	11/16/2004		EXAMINER	
Thomas D Franklin Townsend and Townsend and Crew LLP Two Embarcadero Center 8th Floor San Francisco, CA 94111-3834			BAUGH, APRIL L	
			ART UNIT	PAPER NUMBER
			2141	
DATE MAILED: 11/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	RACIBORSKI ET AL.
Examiner April L Baugh	Art Unit 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
2a) This action is **FINAL**. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4 and 6-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1,2,4 and 6-20 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

Response to Amendment

Applicant has amended claims 1 and 7, therefore claims 1, 2, 4, and 6-20 are now pending.

Response to Arguments

1. Applicant's arguments with respect to claims 1, 7, and 14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 6-20 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,175, 869 to Ahuja et al. in view of Lindbo et al. (US Patent 6581090) and further in view of Farber et al. (US Patent 6185598)

Regarding claim 1, Ahuja et al. teaches a system for distributing content to a client computer (column 1, lines 5-10), comprising: a first content server at a first address, wherein the first content server comprises a first copy of the content object; a second content server at a second address, wherein the second content server comprises a second copy of the content object (column 4, lines 31-36 and fig. 3a); and a directory located remote to the client computer,

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wherein the directory maps at least one of the content object, the first copy, and the second copy to the client computer, wherein the directory is affected by the preference list (column 2, lines 21-28 and column 4, line 64 through column 5, line 20).

Ahuja et al. does not teach a server comprising a content object. Lindbo et al. teaches a server comprising a content object (column 2, lines 35-41 and fig. 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the content distribution network of Ahuja et al. by having server comprising a content object because the replicated content (object) in the content caches must come from an original source server (content server).

Ahuja et al. in view of Lindbo et al. does not teach a content cache at an address, wherein the content cache comprises a copy of the content object; a preference list originating from the client computer, wherein the preference list comprises at least one of the first address and the second address. Farber et al. teaches a content cache at an address, wherein the content cache comprises a copy of the content object; a preference list originating from the client computer, wherein the preference list comprises at least one of the first address and the second address (column 2, lines 55-60 and column 3, lines 1-12 and 18-23). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the content distribution network of Ahuja et al. in view of Lindbo et al. by a content cache at an address, wherein the content cache comprises a copy of the content object; a preference list originating from the client computer, wherein the preference list comprises at least one of the first address and the second address because a cache hold copies of a whole or portion of an object that a client can access versus accessing the origin server and thus distributing the load

and the preference list allows the client to select the cache from which to receive the object thus better optimizing the system.

Regarding claim 7, Ahuja et al. in view of Lindbo et al. teaches a system for distributing content to a client computer (column 1, lines 5-10 of Ahuja et al.), comprising: a content object (column 1, lines 25-27 of Ahuja et al.); a first content server at a first address, wherein the first content server comprises a first copy of the content object; a second content server at a second address, wherein the second content server comprises a second copy of the content object (column 4, lines 31-36 and fig. 3a of Ahuja et al.); and a user-viewable directory that maps one of the first copy, and the second copy to the client computer (column 4, line 64 through column 5, line 20 of Ahuja et al.).

Ahuja et al. in view of Lindbo et al. does not teach a content cache at an address, wherein the content cache comprises a copy of the content object. Farber et al. teaches a content cache at an address, wherein the content cache comprises a copy of the content object (column 2, lines 55-60 and column 3, lines 1-12 and 18-23). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the content distribution network of Ahuja et al. in view of Lindbo et al. by having a content cache at an address, wherein the content cache comprises a copy of the content object because a cache hold copies of a whole or portion of an object that a client can access versus accessing the origin server and thus distributing the load.

Regarding claim 14, Ahuja et al. in view of Lindbo et al. teaches a system for distributing content to a client computer (column 1, lines 5-10 of Ahuja et al.), comprising: a content object comprising a portion (column 1, lines 25-27 and column 3, lines 61-64 of Ahuja et al.); a first

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content cache at a first address, wherein the first content cache comprises a first copy of the portion; a second content cache at a second address, wherein the second content cache comprises a second copy of the portion (column 4, lines 31-36 and fig. 3a of Ahuja et al.); and a routing mechanism that maps one of the portion, the first copy, and the second copy to the client computer (column 4, line 64 through column 5, line 20 of Ahuja et al.).

Ahuja et al. in view of Lindbo et al. does not teach a content cache at an address, wherein the content cache comprises a copy of the portion. Farber et al. teaches a content cache at an address, wherein the content cache comprises a copy of the portion (column 2, lines 55-60 and column 3, lines 1-12 and 18-23). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the content distribution network of Ahuja et al. in view of Lindbo et al. by having a content cache at a address, wherein the content cache comprises a copy of the portion because a cache hold copies of a whole or portion of an object that an client can access versus accessing the origin server and thus distributing the load.

Referring to claim 11 and 17, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 7 and 14 (column 1, lines 5-10).

Ahuja et al. does not teach a server comprising a content object.. Lindbo et al. teaches a server comprising a content object (column 2, lines 35-41 and fig.3).Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the content distribution network of Ahuja et al. by having server comprising a content object because the replicated content (object) in the content caches must come from an original source server (content server).

Referring to claim 2 and 10, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 1 and 7, further comprising a routing mechanism that maps one of the content object, the first copy and the second copy to the client computer (column 4, line 64 through column 5, line 20).

Regarding claim 4 and 12 and 18, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 1 and 11 and 17, wherein the server periodically delivers a catalog of content objects to the directory (column 2, lines 21-28).

Regarding claim 6 and 13, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 1 and 11, wherein: the content object comprises a first portion and a second portion; the first portion is stored on the first content cache and not on the second content cache; and the second portion is stored on the second content cache and not on the first content cache (column 3, lines 61-64 and column 4, lines 31-36 and fig. 3a).

Referring to claim 8 and 15, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 7 and 14, further comprising a preference list originating from the client computer, wherein the preference list comprises at least one of the first address and the second address (column 2, lines 21-28).

Referring to claim 9 and 16, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 8 and 15, wherein the directory is affected by the preference list (column 2, lines 21-28 and column 4, line 64 through column 5, line 20).

Regarding claim 19, Ahuja et al. teaches the system for distributing content to the client computer as recited in claim 16, wherein: the content object comprises a first portion and a second portion; the first portion is stored on the first content cache and not on the second content

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cache; and the second portion is stored on the second content cache and not on the first content cache (column 3, lines 61-64 and column 4, lines 31-36 and fig. 3a).

Regarding claim 20, Ahuja et al. teaches the system for distributing content to the client computer as recited in claims 14, wherein the routing mechanism includes a directory (column 4, line 64 through column 5, line 20).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to content distribution networks in general: Karger et al. and Leivent.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 571-272-3877. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

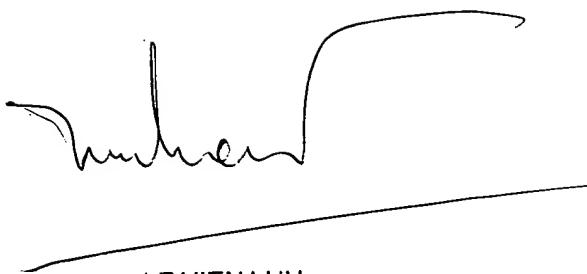
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PRIMARY EXAMINER